

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRIGHT RESPONSE LLC

VS.

GOOGLE, INC., ET AL.

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CASE NO. 2:07-CV-371(CE)

**Jury Trial Day One Minutes
August 2, 2010**

OPEN: 8:47 a.m.

ADJOURN: 5:22 p.m.

ATTORNEYS FOR PLAINTIFF:

Andrew Spangler
Marc Fenster
David Pridham
Alex Giza
John Hueston

ATTORNEYS FOR DEFENDANTS:

Charles Verhoeven
Amy Candido
David Perlson
William Rooklidge
Jason White

LAW CLERK:

Jim Warriner
Eric Hansen

COURT REPORTER:

Judy Werlinger, CSR

COURTROOM DEPUTY:

Jan Lockhart

8:47 a.m. Court opened. The parties announced ready for hearing.

Court heard argument with respect to the Motion for Continuance filed over the weekend. Court denied the motion.

9:00 a.m. Court adjourned.

9:10 a.m. Court reconvened for the purpose of jury selection. Mr. Fenster and Mr. Houston conducted jury selection on behalf of Plaintiff.

Ms. Ainsworth and Mr. Verhoeven conducted jury selection on behalf of Defendant Google. Ms. Doan conducted jury selection on behalf of Defendant Yahoo!.

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A panel of 10 jurors was selected and sworn. The jurors were excused until 3:00 p.m.

11:50 a.m. Court adjourned.

1:15 p.m. Court reconvened. Hearing outside the presence of the jury regarding exhibit and deposition designation disputes. The Court made rulings.

2:40 p.m. Recess until 3:00 p.m.

3:07 p.m. Jury returned to courtroom. Court opened. Court gave preliminary instructions to the jury.

3:32 p.m. Mr. Fenster conducted opening statement on behalf of Plaintiff.

4:03 p.m. Mr. Verhoeven conducted opening statement on behalf of Defendant Google.

4:24 p.m. Ms. Doan conducted opening statement on behalf of Defendant Yahoo!

4:44 p.m. Court gave further instruction to the jury.

4:46 p.m. Mr. Fenster called Amy Rice to testify. Ms. Rice was previously sworn and examined under oath.

5:17 p.m. Jury excused until 8:30 a.m.

Hearing outside the presence of the jury.

5:22 p.m. Court adjourned.